

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

IN RE:	)	
	)	
MELVIN THOMAS FLETCHER,	)	Chapter 13
	)	
Debtor.	)	Case No. 16-10239-SDB
	)	
	)	
HIGHGROVE AT WILLIAMSBURG	)	
COMMUNITY ASSOCIATION, INC.,	)	
	)	CONTESTED MATTER
Movant,	)	
	)	
v.	)	
	)	
MELVIN THOMAS FLETCHER	)	
and HUON LE, Trustee,	)	
	)	
Respondents.	)	

**MOTION FOR RELIEF FROM AUTOMATIC STAY**

COMES NOW, Highgrove at Williamsburg Community Association, Inc. ("Movant"), by and through its undersigned counsel and moves this Court, pursuant to 11 U.S.C. Sections 362 and 1301, for relief from the automatic stay with respect to certain real property of Debtor having an address of 404 Richmond Street, Evans, Georgia 30809 (the "Property"), for all purposes allowed by law, including the right to foreclose and/or pursue civil action against Debtor. In support of this Motion, Movant shows the Court as follows:

1. On or about February 16, 2016, Debtor filed a petition for relief under the provisions of Chapter 13 of the Bankruptcy Code.
2. At the time of filing of said petition, Debtor had an interest in the Property.
3. Debtor maintains and interest in and resides at the Property.

4. Pursuant to the Consolidated Covenants, Debtor is required to pay annual assessments to Movant. The Consolidated Covenants are attached hereto as Exhibit "A" and incorporated herein.
5. Debtor is in default to Movant for all post-petition assessments in the amount of \$2,092.80. Said arrearages are exclusive of reasonable attorneys' fees and costs.
6. Debtor's failure to pay its annual assessments to Movant constitutes sufficient cause for modification of the automatic stay to permit Movant to foreclose against the Property and/or pursue a civil action against Debtor.

WHEREFORE, Movant prays that this Court terminate the stay of proceedings herein so as to permit the Movant to foreclose against the property and/or pursue a civil action against Debtor for post-petition debt only, and grant such other and further relief as may be just and proper.

/s/ Nathan E. Huff  
Nathan E. Huff  
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CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send an email notification of such filing to all attorneys of record and by depositing a true and correct copy in the US Mail with sufficient postage affixed thereto to the parties not served electronically to the parties listed below:

Huon Le  
PO Box 2127  
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Mr. Melvin Fletcher  
404 Richmond Street  
Evans, GA 30809

Angela Williams Seymour, Esq.  
101-B Rossmore Place  
Augusta, GA 30909

This 19<sup>th</sup> day of April, 2020.

/s/ Nathan E. Huff  
Nathan E. Huff